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## HANDICAPPED PARKING SPACES: ENFORCEMENT BY VOLUNTEERS

House Bill 4707 as introduced  
First Analysis (12-16-03)

Sponsor: Rep. Joanne Voorhees  
Committee: Transportation

### ***THE APPARENT PROBLEM:***

Currently under the law, 'a law enforcement agency,' or a local unit of government can establish a program that allows volunteers, rather than police officers, to issue parking citations as described in sections 742 and 743 of the vehicle code. [These sections concern the issuance, contents, and notice of citations.] The law defines "law enforcement agency" to mean a police agency of a city, village, or township; a sheriff's department; the Department of State Police; or any other governmental law enforcement agency in this state; and, "local unit of government" is defined to mean a state university or college, county, city, village, or township.

The volunteers can issue citations for violating two provisions of the code: First, when a violator parks in a parking space clearly identified by an official sign as being reserved for use by disabled people if the space is on public property, or on private property available for public use; and, and second, when a violator parks in a place that blocks access to a space clearly designated as a fire lane.

In some cities the volunteer program is staffed by retired senior citizens who are trained by local law enforcement officers, and who then patrol handicapped parking spaces in order to ensure that they are used by the people for whom they were intended.

For example, in Wyoming, Michigan (located in the Grand Rapids region), the police department sponsors the Senior Volunteer Patrol, which allows trained, uniformed volunteers to patrol in pairs, traveling in detailed Wyoming police department vehicles. The volunteers write handicap parking and fire-lane violation citations, as well as perform other tasks such as patrolling elementary school areas, delivering subpoenas, picking-up bicycles and found property, and delivering absentee ballots as sworn members of the court on election day. The volunteers also spend four-hour shifts in the motor pool assisting with vehicle maintenance, as well as with reception services in various departments.

The award-winning (See Background Information below) Senior Volunteer Patrol of Wyoming conducts department tours, fingerprints school-children to ensure their security, participates in school-based intergenerational projects, and maintains the community's You Are Never Alone (YANA) project to provide reassurance visits to residents who are elderly, frail, or handicapped. On their own weekly television show called "Serving Our Community," the members of the Senior Volunteer Patrol produce scam alerts, and they also copy and bind crime prevention booklets and then deliver them to area businesses. Those who sponsor successful volunteer programs have suggested that the vehicle code be amended so that volunteers could issue more parking citations. In particular, they suggest that authority should be granted to the volunteers to ticket violators who park in a clearly identified access aisle or access lane that is immediately adjacent to a space designated for parking by people with disabilities.

### ***THE CONTENT OF THE BILL:***

House Bill 4707 would amend the Michigan Vehicle Code to expand the individuals authorized to issue citations to violators who illegally park in the access aisle adjacent to a handicapped parking space. Under the bill, those authorized to enforce the law would include volunteers.

MCL 257.675d

### ***BACKGROUND INFORMATION:***

The Wyoming Police Department Senior Volunteer Patrol is an award-winning organization, having been recognized by the Michigan Municipal League with the First Place Achievement Award in 2001, the AAA Insurance Outstanding Community Service Commendation in 2000, the United States President's Service Award Citation in 1999, as well as the Governor's Innovative Spirit Award in 1998, the J. C.

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Penney Golden Rule Award in 1997, the President's Award from the National Association of Retired Senior Volunteer Directors, and a Michigan legislative tribute, both in 1996.

***FISCAL IMPLICATIONS:***

The House Fiscal Agency notes that there is no apparent fiscal impact. (10-15-03)

***ARGUMENTS:***

***For:***

Active volunteers can assist a police department by conducting fire-lane and handicapper parking patrols, and issuing citations when they encounter violators who fill parking spaces that are reserved for those with disabilities. As the City of Wyoming has clearly demonstrated with its award-winning Senior Volunteer Program, sponsored by the Police Department since 1976, volunteers can provide high quality enforcement services, freeing sworn police officers to devote their time to more difficult crimes that require investigation and that pose higher risks to security. This legislation would allow volunteers—seniors citizens and others—to write parking citations when they find violators parking in an access aisle that is adjacent to handicapper parking spaces. These aisles are necessary for handicappers who travel in lift-equipped vans, giving them space to operate the lift that transfers their wheelchair to the surface of the parking lot, or from the surface back to the vehicle. If the aisles are blocked, those who travel in vans cannot access or exit their vehicles.

***POSITIONS:***

The following organizations indicated support for the bill: the Wyoming Police Department Senior Patrol; the Wyoming City Retired Senior Volunteer Program; and the Wyoming Police Department. (12-10-03)

Analyst: J. Hunault

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.